

- Applicability of Fairfax County Zoning Ordinance Regulations to Electric Vehicle Supply Equipment Facilities

- Existing county zoning regulations appear to be adequate to accommodate the implementation of an electric vehicle charging infrastructure as it is currently understood by staff. In particular, proposals to establish electric vehicle supply equipment (EVSE) (i.e., charging facilities) within any zoning district can be categorized and reviewed under existing regulations. Staff anticipates typical installations to be associated with a variety of residential, commercial or industrial principal uses; under such circumstances a charging station(s) could be deemed to be an accessory use to a principal use as long as it meets the Accessory Use definition contained in the County's Zoning Ordinance (Sect. 20-300) of being subordinate in purpose, area, or extent to the principal use.

As a stand-alone or principal use, an EVSE facility could be categorized and reviewed under an existing category such as Vehicle Light Service Establishment, which is a permitted by right use in the I-5 & I-6 Industrial Districts and the C-6, C-7, and C-8 Commercial Districts, subject to use limitations, or by special exception approval in the C-5 Commercial District . Furthermore, staff believes that existing sign and parking regulations are adequate to accommodate foreseeable EVSE development.

- However, as might be the case with any emerging enterprise, there are uncertainties that exist as to how EVSE facilities may be proposed as the market for electric vehicles changes over time. Therefore, the need for new and/or revised zoning regulations to best address such changes may occur as the electric vehicle market develops.
- Fairfax County zoning regulations would not apply to EVSE facilities located within VDOT controlled Right-Of-Ways as we have no jurisdiction over such uses.
- Fairfax County zoning regulations provide for EVSE facilities to be suitably equipped in accordance with all applicable ADA requirements as specified under the Virginia Uniform Statewide Building Code and the County's Public Facilities Manual.

- EVSE facilities may be permitted on properties that are subject to Rezoning, Special Exception, and or Special Permit approval(s) subject to a determination by the Zoning Administrator that such facilities are in substantial conformance (as defined under Sect. 20-300 of the Zoning Ordinance) with the applicable development plan approvals, proffer conditions, use limitations, and/or development conditions.
- EVSE facilities shall meet all applicable standards of the Zoning Ordinance to include off-street parking and loading (Article 11), signage (Article 12), landscaping and screening (Article 13), and outdoor lighting (Article 14).